

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	Case No. 24-cr-30054-SMY
vs.)	
)	
BRANDON S. MILLER, JR.,)	
)	
Defendant.)	

ORDER REVOKING BOND AND FOR EXAMINATION

YANDLE, District Judge:

Defendant Brandon S. Miller, Jr. was charged by Superseding Indictment on May 21, 2024, with Conspiracy to Commit Straw Purchasing of Firearms, Trafficking in Firearms, and Illegal Possession of a Machinegun. He was granted bond on May 22, 2024. On June 5, 2024, Defendant appeared before the Court for a status of counsel hearing. Based upon Defendant's conduct and responses during the hearing, the Court finds that Defendant is unlikely to abide by any condition or combination of conditions of release. **18 U.S.C. § 3148(b)(2)(B)**. Therefore, Defendant's bond is **REVOKED** and Defendant is ordered **DETAINED**.

Pursuant to **18 U.S.C. § 3142(i)(2)-(4)**, the Court directs that:

1. The Defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal; and
2. The Defendant be afforded reasonable opportunity for private consultation with counsel; and
3. That, on order of a court of the United States, or on request of an attorney for the Government, the person in charge of the corrections facility in which the Defendant is confined deliver the Defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

Further, pursuant to 18 U.S.C. § 4241, the Court finds there is reasonable cause to believe that Defendant may presently be suffering from a mental disease or defect rendering him mentally

incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense. Accordingly, on its own motion, the Court **ORDERS** that Defendant undergo a psychological or psychiatric examination by a licensed or certified psychiatrist or psychologist at an institution designated by the Attorney General or his designee. The examination shall be completed within thirty (30) days unless an extension of time is granted by the Court.

The psychological or psychiatric report, or both, shall be filed with this Court, under seal, in accordance with Title 18 U.S.C. § 4247(c), with copies to counsel, and shall include:

1. Defendant's history and present symptoms.
2. A description of the psychiatric and psychological tests that were employed and their results.
3. The examiner's findings as to whether Defendant is suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense.

The United States Marshal shall transport the defendant to the institution designated by the Attorney General or his designee and upon completion of the examination, shall return him to the Court for a hearing in accordance with the provisions of Title 18 U.S.C. § 4241(a) and (c) and 4247(d). The thirty (30) days allowed for the examination under this Order shall begin on the day Defendant is first physically present at the institution designated by the Attorney General or his designee.

IT IS SO ORDERED.

DATED: June 5, 2024



STACI M. YANDLE
United States District Judge